

the Executive Director and such other officers and employees of the Corporation as may be necessary for the efficient administration of the Corporation; the Executive Director and two other officers of the Corporation may be appointed and compensated without regard to the provisions of title 5 governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of title 5.

(b) Procurement of services of experts

The Board of Directors is authorized to procure the temporary (not in excess of one year) or intermittent services of city planners, architects, engineers, appraisers, and other experts or consultants or organizations thereof in accordance with section 3109 of title 5, but at rates for individuals not in excess of the rate in effect for grade GS-18 of the General Schedule.

(c) Administrative services

Administrative services shall be provided by the General Services Administration on a reimbursable basis.

(Pub. L. 92-578, § 4, Oct. 27, 1972, 86 Stat. 1268; Pub. L. 93-427, § 1, Oct. 1, 1974, 88 Stat. 1170; Pub. L. 95-629, title I, § 101(1)(d), Nov. 10, 1978, 92 Stat. 3635.)

REFERENCES IN TEXT

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (a), are classified to section 3301 et seq. of Title 5, Government Organization and Employees.

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-629 substituted “subchapter III of chapter 53” for “subchapter 53”.

1974—Subsecs. (b), (c). Pub. L. 93-427 added subsec. (b) and redesignated former subsec. (b) as (c).

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 874. Development plan

(a) Contents

The development plan for the development area shall include, but not be limited to: (1) the types of uses, both public and private, to be permitted; (2) criteria for the design and appearance of buildings, facilities, open spaces, and other improvements; (3) an estimate of the current values of all properties to be acquired; (4) an estimate of the relocation costs which would be incurred in carrying out the provisions of section 877 of this title; (5) an estimate of the cost of land preparation for all properties to be acquired; (6) an estimate of the reuse values of the properties to be acquired; (7) a program for the staging of a proposed development, including a detailed description of the portion of the program to be scheduled for completion by 1976; (8) a determination of the marketability of such development; (9) an estimate of the development costs, both public and private; (10) a thorough

study of the economic impact of such development, including the impact on the local tax base, the metropolitan area as a whole, and the existing business activities within the development area; and (11) the procedures (including both interim and long-term arrangements) to be used in carrying out and insuring continuing conformance to the development plan.

(b) Cooperation in preparation

The development plan provided for in subsection (a) of this section shall be prepared with the cooperation of the Department of the Interior, the General Services Administration, and the District of Columbia government with the maximum feasible use of their staffs and other resources on a reimbursable basis by the Corporation.

(c) Submittal to Secretary of the Interior and Mayor of District of Columbia; public hearings

After the development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Mayor of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the plan with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. The Mayor of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission, shall hold public hearings on the plan, and shall notify the Corporation of his approval or recommended modifications: *Provided*, That in the event that the Secretary of the Interior or the Mayor of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the plan within ninety days after the date of submission, he shall be deemed to have approved the plan.

(d) Transmittal to Congress

In the event the Secretary of the Interior or the Mayor of the District of Columbia has recommended modifications of the plan, the Corporation within one hundred and twenty days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

If the Secretary of the Interior or the Mayor of the District of Columbia has not approved the development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Mayor of the District of Columbia and the views of the Corporation thereon. Following the expiration of sixty legislative days after the date of such transmittal, the Corporation may proceed with the execution and implementation of the plan unless between the date of transmittal and the end of the sixty legislative day period, either the Senate or the House of Representatives passes a resolution in opposition to the development plan.

(e) Alteration, revision, or amendment

(1) Activities under the development plan shall be carried out in accordance with the approved development plan.

(2) The Corporation may alter, revise, or amend the plan, but any such alteration, revision, or amendment which is a substantial change from the approved development plan shall take effect only upon compliance with the procedures set forth in subsections (c) and (d) of this section. For the purposes of this subsection, the term “substantial change” shall mean one involving a major alteration in the character or intensity of an existing or proposed use in the development area which in the opinion of the Corporation causes an increase or decrease of 10 per centum or more of the dollar amount of the estimate prepared in accordance with subsection (a)(9) of this section, or one which, in the opinion of the Secretary of the Interior, affects his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site.

(3) Any alteration, revision, or amendment of the plan and any other action taken by the Corporation which is not a substantial change in the plan within the meaning of paragraph (2) but—

(A) which is a significant change in the plan, or which is another significant action taken by the Corporation, and

(B) which relates to housing, any major structure, historic preservation, parks, office space, or retail uses, within the development area

shall not take effect until thirty days after notice of such change or other action has been submitted to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate, unless prior to the expiration of such thirty-day period each of such committees notifies the Corporation in writing that the committee does not object to such change or other action. Such notice to the committees shall include an explanation of the reasons why the change or other action is proposed and a summary of any recommendations received by the Corporation from the Secretary of the Interior, the Mayor of the District of Columbia, or from any other interested agency, organization, or individual.

(f) Utilization of other governmental services and facilities

To avoid duplication and unnecessary expense the Corporation shall, to the maximum feasible extent in conducting its operations, utilize the services and facilities of other agencies, including the Department of the Interior, General Services Administration, the National Capital Planning Commission, and the District of Columbia government.

(Pub. L. 92-578, §5, Oct. 27, 1972, 86 Stat. 1269; Pub. L. 95-629, title I, §101(1)(a), (e), Nov. 10, 1978, 92 Stat. 3635; Pub. L. 98-141, §8(b), (c)(2), (3), Oct. 31, 1983, 97 Stat. 910; Pub. L. 103-437, §14(d), Nov. 2, 1994, 108 Stat. 4591.)

AMENDMENTS

1994—Subsec. (e)(3). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” be-

fore “of the United States House” in concluding provisions.

1983—Subsec. (a)(10). Pub. L. 98-141, §8(c)(2), inserted “a” before “whole, and the existing business”.

Subsec. (b). Pub. L. 98-141, §8(c)(3), substituted “cooperation” for “Cooperation”.

Subsec. (e). Pub. L. 98-141, §8(b), designated first sentence of existing provisions as par. (1), designated second and succeeding sentences of existing provisions as par. (2), and added par. (3).

1978—Subsecs. (c), (d). Pub. L. 95-629, §101(1)(a), substituted “Mayor of the District of Columbia” for “Commissioner of the District of Columbia” wherever appearing.

Subsec. (f). Pub. L. 95-629, §101(1)(e), struck out reference to the District of Columbia Redevelopment Land Agency following reference to the District of Columbia government.

CHANGE OF NAME

Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

REVIEW OF PORTIONS OF PENNSYLVANIA AVENUE DEVELOPMENT AREA NOT UNDER DEVELOPMENT FOR PRESERVATION OF HISTORIC VALUES OF SUCH AREA; REPORT TO CONGRESS

Pub. L. 96-515, title V, §505, Dec. 12, 1980, 94 Stat. 3005, provided that the Pennsylvania Avenue Development Corporation review the development plan for those parts of the development area not under development or committed for development as of Dec. 12, 1980, to identify means by which the historic values of such parts of the development area could be preserved and enhanced to the maximum extent feasible, such review not to be limited by the applicable provisions of the development plan in effect at the time of the review, and not to require any actions by the Corporation during the course of the review or during its consideration by the Congress. Within one year of Dec. 12, 1980, the Corporation was to submit to the appropriate committees of Congress a report containing the findings of the review, together with the Corporation's recommendations for any legislative measures or funding necessary to carry out the purposes of this section, such report to also include a description of those activities which the Corporation proposed to undertake to carry out the purposes of this section and the financial implications of carrying out those activities.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 875, 876, 885, 1104 of this title.

§ 875. Powers of Corporation

In carrying out its powers and duties, the Corporation—

(1) shall have all necessary and proper powers for the exercise of the authorities vested in it;

(2) shall have succession in its corporate name;

(3) may adopt and use a corporate seal which shall be judicially noticed;

(4) may sue and be sued in its corporate name. All litigation arising out of the activities of the Corporation shall be conducted by the Attorney General;

(5) may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(6) may acquire lands, improvements, and properties within the development area by